

**Judge Hellerstein**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

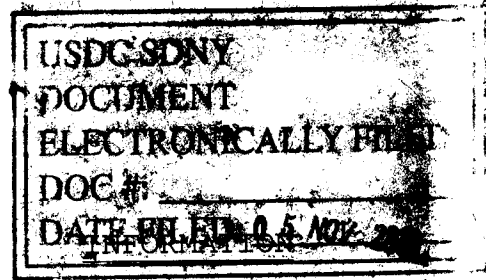
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UNITED STATES OF AMERICA :

- v. - :

BRANDIN DIXON,

Defendant.



10 Cr.

**10 CRIM 1083**

- - - - -x

COUNT ONE

The United States Attorney charges:

1. From at least in or about March 2005 up to and including in or about late 2008, in the Southern District of New York and elsewhere, BRANDIN DIXON, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Section 1344.

2. It was a part and an object of the conspiracy that BRANDIN DIXON, the defendant, and his co-conspirators, unlawfully, willfully, and knowingly would and did execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution by means of

false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1344.

OVERT ACTS

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about March 2005, BRANDIN DIXON the defendant, caused to be deposited into a bank account three checks made payable to "Brandin Dixon" when, in fact, the company on whose account the checks were drawn had never written out a check payable to DIXON.

b. In or about September 2008, a co-conspirator not named herein placed a phone call from the Bronx, New York, to another co-conspirator not named herein in order to arrange for the preparation of counterfeit checks, and to arrange meetings in furtherance of the conspiracy.

(Title 18, United States Code, Section 1349.)

FORFEITURE ALLEGATION

(As to Count One)

4. As a result of committing the offense alleged in Count One of this Information, BRANDIN DIXON, the defendant, shall forfeit to the United States, pursuant to Title 18, United

States Code, Section 982(a)(2), any property constituting or derived from proceeds obtained directly or indirectly as a result of the financial institution fraud alleged in Count One of this Information.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which

cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 472, 982, 1344, and 1349; Title 21, United States Code, Section 853.)



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PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INFORMATION

10 Cr. (AKH)

(18 U.S.C. § 1349.)

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PREET BHARARA

United States Attorney.

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11/5/10 Waiver + information filed; Deft is arraigned on information.  
Deft pro a/atty Richard Rosenberg, AUSA Jim Pastore pres,  
Court reporter Jerry Harrison pres. Deft enters plea of guilty  
to 1 ct information; PSR ordered, Sentencing set  
for February 19, 2011 @ 11:00 am. Deft could'nt be back.  
Hellerstein, J.